

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

TIMOTHY RONK

PETITIONER

v.

CIVIL ACTION NO. 1:19-CV-346-HSO

**BURL CAIN, Commissioner, Mississippi
Department of Corrections and
LYNN FITCH, Attorney General of the
State of Mississippi**

RESPONDENTS

**ORDER GRANTING UNOPPOSED MOTION FOR
ADDITIONAL TIME TO FILE STATE COURT SUCCESSIVE
PETITION FOR POST-CONVICTION RELIEF**

This matter is before the Court on the Unopposed Motion for Additional Time to File State Court Successive Petition for Post-Conviction Relief [Doc. #42] filed by the Petitioner, Timothy Ronk. In an earlier Order, this Court required Ronk to file that petition in state court by June 4, 2021. A review of the docket of his state court case shows that Ronk has been diligent in filing a motion for appointment in state court, which has been opposed by the State, and he is waiting for a ruling on that motion. It would be unreasonable to expect Ronk to file a motion before his counsel are appointed to his case. Ronk represents to the Court that, while the Respondents do not agree with this Motion for Time, they do not oppose it. For these reasons, the Court is of the opinion that the Motion should be granted, and Ronk should be given an additional thirty days within which to file his successive post-conviction petition in state court.

IT IS, THEREFORE, ORDERED that the Unopposed Motion for Additional Time to File State Court Successive Petition for Post-Conviction Relief [Doc. #42] is **GRANTED**. The Petitioner has until July 5, 2021, within which to file his successive post-conviction petition in

state court. The other deadlines established in the February 23, 2021 Order [Doc. #35] remain in effect.

It is so ordered, this the 9th day of June, 2021.

s/ Halil Suleyman Ozerden
HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE